

Magistrate Judge John L. Weinberg

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAEPAEGA MATAUTIA, JR.

Defendant.

MAGISTRATE'S DOCKET
CASE NO. MJ08-5157

COMPLAINT for VIOLATION
Title 21, United States Code,
Sections 841(a)(1), 841(b)(1)(B),
and 963

BEFORE The Honorable John L. Weinberg, United States Magistrate Judge,
700 Stewart Street, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1
(Attempted Possession of Cocaine with Intent to Distribute)

On or about July 30, 2008, in Puyallup, within the Western District of Washington,
PAEPAEGA MATAUTIA, JR., did knowingly and intentionally attempt to possess, with
intent to distribute, cocaine base in the form of crack cocaine, a substance controlled
under Schedule II, Title 21, United States Code, Section 812.

It is further alleged that the offense involved five grams or more of a mixture or
substance containing a detectable amount of cocaine base in the form of crack cocaine.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B),
and 963.

COMPLAINT/Matautia
MJ08-5157 - 1



08-MJ-05157-CMP

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
(206) 553-7970

1 The undersigned complainant, being first duly sworn on oath, deposes and says:

2 **INTRODUCTION**

3 1. I, Jeremy Blauser, am a Special Agent with the Federal Bureau of
4 Investigation (FBI). I have served as an FBI agent for almost eight years. I graduated
5 from the FBI Academy in 2001. While at the Academy, I received intensive training on
6 narcotics trafficking investigations. During my FBI career, I have assisted in the
7 investigations of at least ten cases involving violations of the Controlled Substances Act,
8 Title 21, United States Code, Section 801, et. seq. and related violations. Based on my
9 training and experience, I have become familiar with the common practices of drug
10 dealers and couriers. I am currently assigned to the Tacoma Resident Agency, where my
11 primary responsibilities include the investigation of public corruption and white collar
12 crimes.

13 2. The information set forth in this criminal complaint consists of information
14 I gathered and observed firsthand through the course of this investigation, as well as
15 information relayed to me by other law enforcement personnel, information gathered from
16 police reports, and information gathered through interviews of witnesses and suspects.
17 The information set forth in this affidavit is not intended to detail each and every fact and
18 circumstance of the investigation, nor is it intended to detail everything I know about the
19 investigation. Rather, this affidavit serves to establish that probable cause exists to
20 believe that PAEPAEGA MATAUTIA, JR. committed the crime of attempted possession
21 of cocaine base with intent to distribute.

22 **FACTS IN SUPPORT OF PROBABLE CAUSE**

23 3. On July 24, 2008, I met with a confidential informant (CI), who provided
24 information regarding a man that he/she knows as "Junior." The CI informed me that
25 he/she had been asked on several occasions by a friend of his/hers named Lawrence to
26 pick up and deliver drugs to "Junior," so that "Junior" in turn could deliver the drugs to
27 Lawrence. The CI explained that he/she and Lawrence had been involved in a romantic
28

1 relationship since October of 2006, and that he/she abided by Lawrence's requests
2 because he/she loved and feared him.

3 4. I had come into contact with the CI through another confidential source,
4 who had been conducting recorded telephone calls with the CI, unbeknownst to the CI.
5 During those recorded telephone calls, the CI told the other confidential source that
6 he/she was delivering drugs for a friend of his/hers named Lawrence. The information
7 the CI provided to me on July 24, 2008, was consistent with what he/she had told the
8 other confidential source during the recorded telephone calls.

9 5. On July 28, 2008, the CI called me, and frantically described how Lawrence
10 wanted him/her to deliver another set of drugs soon. We discussed what Lawrence had
11 asked of him/her for several minutes. Shortly thereafter, the CI became agitated and
12 reported that, at that very moment, he/she was at home and that someone was
13 approaching his/her pickup truck, which was parked outside his/her home. The CI then
14 said that the person was leaving.

15 6. Moments later, Lawrence unexpectedly called the CI and told him/her
16 that he wanted him/her to get something and deliver it to "Junior." Ironically, I was still
17 on the telephone with the CI when he/she received the call, on a different phone, from
18 Lawrence. The CI placed his/her call with Lawrence on speaker phone, so that I could
19 hear their conversation. I heard Lawrence asking the CI whether "they" had delivered an
20 item to the CI. He/She said, "they just delivered it." The CI also explained that the
21 package was sitting outside, in his/her pickup truck. Lawrence then told the CI, "What
22 are you waiting for? Go get it!" There was a pause in the conversation, and then the CI
23 stated that he/she had retrieved the item, that it was a kleenex that contained a lot of white
24 rocks. Lawrence then had a discussion with the CI about when he/she would be able to
25 deliver the rocks.

26 7. The CI soon got off the phone with Lawrence. I instructed him/her to hold
27
28

1 onto the package, and that an FBI agent would come to his/her house to pick it up. FBI
2 Special Agent Scott Saxon drove to the CI's home that same day and received from the
3 CI the white kleenex.

4 8. The rocks were transported to FBI evidence, where they field-tested
5 positive for cocaine. The rocks, which were tightly wrapped in very thin plastic, weighed
6 approximately 5.4 grams with the plastic. I estimate that the plastic weighed
7 approximately .2 grams. There were approximately ten to fifteen large chunks of cocaine
8 base in the plastic.

9 9. On July 29, 2008, the CI, at my direction, was able to convince Lawrence
10 that he/she could not deliver the rocks to "Junior" until the following day. This allowed
11 the FBI additional time to plan for an intended "buy bust" operation.

12 10. On July 30, 2008, the CI conducted several recorded phone calls with
13 Lawrence and "Junior" at my direction. The CI told Lawrence that he/she was ready to
14 make the delivery. Lawrence advised him/her to work out the logistics of the delivery
15 with "Junior." The CI called "Junior," and told him that he/she could not meet with him
16 in the morning, but that he/she could meet him during the afternoon of July 30, 2008.
17 "Junior" told the CI to meet him at a Safeway parking lot in Puyallup, Washington, and
18 gave the CI directions to the Safeway.

19 11. On July 30, 2008, the FBI conducted a "buy bust" operation with the CI. It
20 was determined that the CI would deliver to "Junior" a cigarette box that contained sham
21 rocks of cocaine. The CI was under constant surveillance during the operation and had
22 been searched both prior to and after the operation. FBI agents did not find any drugs or
23 money on the CI's person either prior to or after the operation. The FBI provided the CI
24 with a cigarette box that contained sham rocks of cocaine.

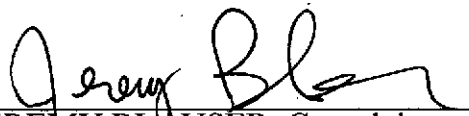
25 12. At approximately 2:45 p.m., the CI drove to a Safeway parking lot in
26 Puyallup, Washington. A man later identified as PAEPAEGA MATAUTIA, JR. arrived
27 at the parking lot. He met up with the CI, who then gave the cigarette box containing the
28 sham drugs to PAEPAEGA MATAUTIA, JR. The FBI then arrested PAEPAEGA

1 MATAUTIA, JR., and found on his person the cigarette box containing the sham rocks of
2 cocaine.

3 13. I read PAEPAEGA MATAUTIA, JR. his *Miranda* rights, which he stated
4 he understood and waived. At no time during my conversation with him did PAEPAEGA
5 MATAUTIA, JR. express any confusion over his rights or a desire to speak with an
6 attorney. PAEPAEGA MATAUTIA, JR. told me that he knows Lawrence, and has been
7 asked by Lawrence on at least eight occasions to bring him packages of items. He
8 admitted that he knew that he was delivering drugs to Lawrence on each occasion, and
9 that the drugs were always in cigarette boxes. He also stated that he knew that the
10 cigarette box that he picked up from the CI was supposed to contain drugs, and that he
11 was planning on delivering the drugs to Lawrence the following day.

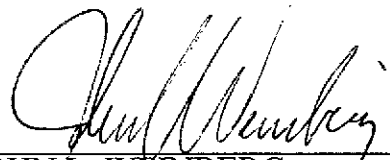
12 CONCLUSION

13 14. Based on the aforementioned facts, I believe that there is probable cause to
14 believe that PAEPAEGA MATAUTIA, JR. committed the offense of attempted
15 possession of cocaine with intent to distribute in violation of Title 21, United States Code,
16 Sections 841(a)(1), 841(b)(1)(B), and 963.

17
18 
19 JEREMY BLAUSER, Complainant
20 Special Agent
21 FBI

22 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
23 presence, the Court hereby finds that there is probable cause to believe that PAEPAEGA
24 MATAUTIA, JR. committed the offenses set forth in the Complaint.

25 DATED this 31 day of July, 2008.

26 
27 JOHN L. WEINBERG
28 United States Magistrate Judge